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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 DENVER G. SMITH,

12 Petitioner,

13 v.

14 TIMOTHY WENGLER, *et al*,

15 Respondent.

Case No. C08-5349 BHS/KLS

ORDER EXTENDING
RESPONDENT'S TIME TO FILE
AN ANSWER

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17 This habeas corpus action has been referred to United States Magistrate Judge Karen L.
18 Strombom pursuant to 28 U.S.C. § 636(b)(1) and Local MJR 1, 3 and 4. Before the Court is
19 Respondent's motion for an extension of time to file an answer to Mr. Smith's habeas corpus
20 petition. (Dkt. # 17). Respondent seeks an extension until December 26, 2008 to allow sufficient
21 time to review the state court record recently received from the Washington state courts.

22 Petitioner filed no opposition to Respondent's request for an extension.

23 Accordingly, it is **ORDERED**:

- 24 1. Respondent's motion for an extension of time to file an answer to the petition for a
25 writ of habeas corpus (Dkt. # 17) is **GRANTED**. Respondent shall file an answer on
or before **December 26, 2008**;
- 26 2. The Clerk of the Court shall **re-note** the Petition for Writ of Habeas Corpus (Dkts. # 7
27 and 8) for **January 23, 2008**;
- 28 3. Petitioner may file and serve a response not later than **January 19, 2008** and
Respondent may file and serve a reply brief not later than **January 23, 2008**; and

4. The Clerk shall send copies of this Order to the Petitioner and to counsel for Respondents.

DATED this 17th day of November, 2008.

Ben L. Stromborn

Karen L. Strombom
United States Magistrate Judge